

Exhibit A - Updated Filings From State-Court Docket



JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT & COMPTROLLER
PALM BEACH COUNTY

CASE NUMBER: 50-2023-CA-011904-XXXX-MB
CASE STYLE: TATE, ANDREW V GABBEY, EMMA

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		Docket Number	Effective Date	Description	Notes
		2	07/11/2023	CIVIL COVER SHEET	
		3	07/11/2023	COMPLAINT	FOR DAMAGES EXCEEDING \$5,000,000,00 FOR DEFAMATION, DEFAMATION PER SE, COMMERCIAL DEFAMATION, FALSE IMPRISONMENT, TORTIOUS INTERFERENCE OF A BUSINESS RELATIONSHIP, CIVIL CONSPIRACY, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, AND NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS F/B PLTS
		4	07/11/2023	VERIFIED MOTION	FOR ADMISSION TO APPEAR PRO HAC VICE PURSUANT TO FLORIDA RULE OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION 2.510 F/B ATTY JOSEPH D MCBRIDE
		5	07/11/2023	SUMMONS ISSUED	tamaniotis@equitylegal.net;Tamaniotisesq@gmail.com AS TO EMMA GABBEY E FILED
		6	07/11/2023	SUMMONS ISSUED	tamaniotis@equitylegal.net;Tamaniotisesq@gmail.com AS TO MONA TABBARA GABBEY E FILED
		7	07/11/2023	SUMMONS ISSUED	tamaniotis@equitylegal.net;Tamaniotisesq@gmail.com AS TO WILLIAM GABBEY E FILED
		8	07/11/2023	EVIDENCE/EXHIBIT LIST FILED	F/B PLTS
		9	07/11/2023	SUMMONS ISSUED	tamaniotis@equitylegal.net;Tamaniotisesq@gmail.com AS TO MATTHIEU MARTELLY E FILED
		1	07/12/2023	DIVISION ASSIGNMENT	Al: Circuit Civil Central - Al (Civil)

		10	07/12/2023	PAID \$541.00 ON RECEIPT 4966628	\$541.00 4966628 Fully Paid
		11	07/12/2023	COMPLAINT	AMENDED FILED BY PLTS ***PARTIES UPDATED***
		12	07/12/2023	EXHIBIT	TO AMENDED COMPLAINT F/B PLTS
		13	07/14/2023	NOTICE OF APPEARANCE CIVIL	PLAINTIFFS' NOTICE OF COMPLIANCE WITH RULE 2.516 AND DESIGNATION OF EMAIL ADDRESS F/B ATTY THOMAS MANIOTIS, ESQ. ON BEHALF OF PLTS 122414
		16	07/19/2023	NOTICE OF CONFIDENTIAL FILING	INFORMATION WITHIN COURT FILING F/B PLT *NOT YET DOCKETED*
		19	07/19/2023	ORDER GRANTING G JOS CURLEY DTD 7/19/23 VERIFIED MOTION FOR ADMISSION TO APPEAR PRO HAC VICE PURSUNT TO FL RULE OF JUDICIAL ADMINISTRATION 2.510.	G JOS CURLEY DTD 7/19/23 VERIFIED MOTION FOR ADMISSION TO APPEAR PRO HAC VICE PURSUNT TO FL RULE OF JUDICIAL ADMINISTRATION 2.510.
		17	07/20/2023	NOTICE OF CONFIDENTIAL FILING	F/B ATTY MANIOTIS OBO PLT
		14	07/21/2023	SERVICE RETURNED (NUMBERED)	RETURN OF SERVICE SUBSTITUTE WILLIAM GABBEY - 07/17/2023
		15	07/21/2023	SERVICE RETURNED (NUMBERED)	RETURN OF SERVICE SERVED MONA TABBARA - 07/17/2023
		18	07/26/2023	CLERK NOTICE NOT CONFIDENTIAL	TAMANIOTIS@EQUITYLEGAL.NET
		26	08/07/2023	MOTION FOR EXTENSION OF TIME	TO ANSWER PLTS' AMENDED COMPLAINT F/B DFTS
		20	08/08/2023	NOTICE OF EMAIL DESIGNATION	FILED BY ATTY PINTER OBO MONA TABARA GABBEY AND WILLIAM GABBEY
		21	08/09/2023	MOTION FOR FINAL JUDGMENT	PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT FINAL JUDGMENT AGAINST DEFENDANTS MONA TABBARA GABBEY AND WILLIAM GABBEY
		22	08/10/2023	SERVICE RETURN- NOT SERVED	RETURN OF NON-SERVICE MATTHIEU MARTELLY
		23	08/10/2023	SERVICE RETURN- NOT SERVED	RETURN OF NON-SERVICE EMMA GABBEY
		24	08/10/2023	AFFIDAVIT OF DILIGENT SEARCH	AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY
		25	08/10/2023	AFFIDAVIT OF DILIGENT SEARCH	AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY
		27	08/15/2023	NOTICE OF REMOVAL TO FED CRT	FILED BY DFT
		28	08/15/2023	DISPOSED - OTHER	DO - DISPOSED OTHER

29	08/15/2023	DO NOT DOCKET ON THIS CASE	***REMOVED TO FEDERAL COURT***
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RETURN OF NON-SERVICE

State of Florida

County of Palm Beach

Circuit Court

Case Number: 502023CA011904XXXXMB

Plaintiff,:

TRISTIN TATE and ANDREW TATE,

vs.

Defendant,:

**EMMA GABBEY, MONA TABBARA GABBEY, WILLIAM GABBY, ALIONA
UNTILA, and MATTHIEU MARTELLY,**

For:

Thomas Maniotis, Esquire
Equity Legal, PLLC
5201 Blue Lagoon Drive
Floor 8
Miami, FL 33126

Received by Williams Process Service, Inc. on the 14th day of July, 2023 at 9:56 am to be served on **Matthieu Martelly, 6649 Somerset Dr, Apt 106, Boca Raton, FL 33433.**

I, Pennie Atwell, do hereby affirm that on the **3rd day of August, 2023 at 8:00 am, I:**

NON-SERVED the Summons (20 Day), Complaint and Amended Complaint for the reason that I failed to find **Matthieu Martelly** or any information to allow further search. Read the comments below for further details.

Additional Information pertaining to this Service:

Attempted service at 6649 Somerset Dr Apt 106, Boca Raton, FL 33433. This is his mother's apartment; he does not live here; they are estranged; no forwarding address.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true. I am over the age of eighteen, have no interest in the above action and am a Certified Process Server in good standing in the circuit in which service was effected in accordance with State Statutes.

/s/ Pennie Atwell

Pennie Atwell
C.P.S.# 931

Williams Process Service, Inc.
721 US Highway 1
Suite 121
North Palm Beach, FL 33408
(561) 881-1442

Our Job Serial Number: WPS-2023013527



RETURN OF NON-SERVICE

State of Florida

County of Palm Beach

Circuit Court

Case Number: 502023CA011904XXXXMB

Plaintiff,:

TRISTIN TATE and ANDREW TATE,

vs.

Defendant,:

**EMMA GABBEY, MONA TABBARA GABBEY, WILLIAM GABBY, ALIONA
UNTILA, and MATTHIEU MARTELLY,**

For:

Thomas Maniotis, Esquire
Equity Legal, PLLC
5201 Blue Lagoon Drive
Floor 8
Miami, FL 33126

Received by Williams Process Service, Inc. on the 14th day of July, 2023 at 9:56 am to be served on **Emma Gabbey, 1647 Park Tree Place, Delray Beach, FL 33445.**

I, Pennie Atwell, do hereby affirm that on the **3rd day of August, 2023 at 8:00 am, I:**

NON-SERVED the Summons (20 Day), Complaint and Amended Complaint for the reason that I failed to find **Emma Gabbey** or any information to allow further search. Read the comments below for further details.

Additional Information pertaining to this Service:

Attempted service at 1647 Park Tree Place, Delray Beach, FL 33445. This is Emma's parent's home; estranged; no forwarding address.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true. I am over the age of eighteen, have no interest in the above action and am a Certified Process Server in good standing in the circuit in which service was effected in accordance with State Statutes.

/s/ Pennie Atwell

Pennie Atwell
C.P.S.# 931

Williams Process Service, Inc.
721 US Highway 1
Suite 121
North Palm Beach, FL 33408
(561) 881-1442

Our Job Serial Number: WPS-2023013523



IN THE CIRCUIT COURT FOR THE FIFTEENTH
JUDICIAL CIRCUIT IN PALM BEACH COUNTY,
FLORIDA

CASE NO.: 502023CA011904XXXXMB

TRISTIN TATE and ANDREW TATE,
Plaintiffs,

Vs.

EMMA GABBEY, MONA TABBARA GABBEY,
WILLIAM GABBY, ALIONA UNTILA, and
MATTHIEU MARTELLY,
Defendants.

AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

I, MARY A. WILLIAMS, as owner of WILLIAMS PROCESS SERVICE, being sworn, certify that the following information is true:

1. I have made diligent search and inquiry to discover the current location of MATTHIEU MARTELLY, whose age is 26 years.
2. The address provided to WILLIAMS PROCESS SERVICE on the Summons was 6649 Somerset Drive, Apt. 106, Boca Raton, FL 33433.
3. A Return of Non-Service was filed after attempting service at the Boca Raton address. Per MATTHIEU'S mother, who resides at Boca Raton address, he does not live there, and they are estranged. No forwarding address.
4. The following measures were taken to locate the current whereabouts of MATTHIEU MARTELLY.

Skip search for MARTELLY did NOT provide a more current address – other than 6649 Somerset Drive, Apt. 106, Boca Raton, FL 33433.

MARTELLY is NOT in active duty with the United States Military per SCRA (Servicemembers Civil Relief Act).

Voter's Registration gives 6649 Somerset Drive, Apt. 106, Boca Raton, FL 33433 as the current address.

Per Federal Bureau of Prisons, MARTELLY is not currently incarcerated.

Florida Department of State/Division of Corporations does not give MARTELLY as an officer to any entity in the State of Florida.

FURTHER AFFIANT SAYETH NAUGHT.

Mary A. Williams
MARY A. WILLIAMS

Sworn to (or affirmed) and subscribed before me this 9th day of August, 2023, by Mary A. Williams.

[Signature]
Notary



Personally known

☐

Produced identification

☐

Type of identification produced _____

(NOTARY SEAL)



Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

IN THE CIRCUIT COURT FOR THE FIFTEENTH
JUDICIAL CIRCUIT IN PALM BEACH COUNTY,
FLORIDA

CASE NO.: 502023CA011904XXXXMB

TRISTIN TATE and ANDREW TATE,
Plaintiffs,

Vs.

EMMA GABBEY, MONA TABBARA GABBEY,
WILLIAM GABBY, ALIONA UNTILA, and
MATTHIEU MARTELLY,
Defendants.

AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

I, MARY A. WILLIAMS, as owner of WILLIAMS PROCESS SERVICE, being sworn, certify that the following information is true:

1. I have made diligent search and inquiry to discover the current location of EMMA GABBEY, whose age is over 21 years old.
2. The address provided to WILLIAMS PROCESS SERVICE on the Summons was 1647 Park Tree Place, Delray Beach, FL 33445.
3. A Return of Non-Service was filed after attempting service at the Delray Beach address. Per GABBEY'S parents, who reside at Delray Beach address, she does not live there, and they are estranged. No forwarding address.
4. The following measures were taken to locate the current whereabouts of EMMA GABBEY.

Skip search for GABBEY did NOT provide a more current address – other than 1647 Park Tree Place, Delray Beach, FL 33445

GABBEY is NOT in active duty with the United States Military per SCRA (Servicemembers Civil Relief Act).

Voter's Registration gives 1647 Park Tree Place, Delray Beach, FL 33445 as the current address.

Per Federal Bureau of Prisons, GABBEY is not currently incarcerated.

Florida Department of State/Division of Corporations does not give GABBEY as an officer to any entity in the State of Florida.

FURTHER AFFIANT SAYETH NAUGHT.

Mary A. Williams
MARY A. WILLIAMS

Sworn to (or affirmed) and subscribed before me this 9th day of August, 2023, by Mary A. Williams.

[Signature]
Notary

☒ Personally known

☐ Produced identification

☐ Type of identification produced _____

(NOTARY SEAL)



Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA
GENERAL CIVIL DIVISION

TRISTAN TATE AND ANDREW TATE,

Plaintiffs,

-vs.-

EMMA GABBEY, MONA TABARA
GABBEY, WILLIAM GABBEY,
ALIONA UNTILA, AND MATTHIEU
MARTELLY,

Defendants.

Case#: 502023CA011904XXXXMB

**DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME
TO ANSWER PLAINTIFFS' AMENDED COMPLAINT**

COME NOW, Defendants, MONA TABARA GABBEY and WILLIAM GABBEY, by and through their undersigned attorney, and pursuant to Florida Rule of Civil Procedure, Rule 1.090, hereby move this Court for an enlargement of time to respond to the Plaintiffs' Amended Complaint, and in support thereof state the following:

1. On July 11, 2023, the Plaintiffs filed this action, against the Defendants Mona and William Gabbey, as well as against three other individual Defendants.
2. On July 12, 2023, the Plaintiffs filed their Amended Complaint.
3. On July 17, 2023, Defendants Mona and William Gabbey were served with the Amended Complaint.
4. According to the public docket, at the time of this filing, the other Defendants have not been served.

5. Defendants have recently obtained counsel. Because of other litigation deadlines, counsel requires additional time to prepare their response.
6. This first request for an enlargement of time is made in good faith and not for the purpose of undue delay.

WHEREFORE, the Defendants, MONA TABARA GABBEY and WILLIAM GABBEY, respectfully request an enlargement of time to respond to the Plaintiffs' Amended Complaint within 30 days or less from the filing of this Motion.

Date: August 7, 2023

Respectfully Submitted,

/s/ Danielle Bianculli Pinter

Danielle Bianculli Pinter (Fla. Bar No. 120441)
1201 F. St., NW, Suite 200
Washington, DC 20004
dpinter@ncoselaw.org
Telephone: 202-393-7245

*Attorney for Defendants Mona and William
Gabbey*

**IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA**

ANDREW TATE AND TRISTAN
TATE,

Plaintiffs

vs.

CASE NO. 502023CA011904XXXXMB

EMMA GABBEY, MONA TABARA
GABBEY,
WILLIAM GABBEY, ALIONA
UNTILA,
AND MATTHIEU MARTELLY

Defendants.

DEFENDANTS' NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that on August 14, 2023, Defendants removed this action to United States District Court for the Southern District of Florida, by filing a Notice of Removal in that Court. A copy of the Notice of Removal is attached as Exhibit A. Accordingly, and under 28 U.S.C. § 1446(d), this Court may proceed no further unless and until the case is remanded.

DATED: August 15, 2023

Respectfully submitted,

NATIONAL CENTER ON SEXUAL EXPLOITATION

By: *Danielle Pinter*

Danielle Bianculli Pinter (Fla. Bar No. 120441)
1201 F. St., NW, Suite 200
Washington, DC 20004
dpinter@ncoselaw.org
Telephone: 202-393-7245

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed with the Clerk of Courts this 15th day of August, 2023 and e-served to attorneys of record via the Florida e-filing portal.

By: *Danielle Pinter*

Danielle Bianculli Pinter, Esq.

National Center on Sexual Exploitation

1201 F. St., NW, Suite 200

Washington, DC 20004

Florida Bar No. 120441

dpinter@ncoselaw.org

Telephone: 202-393-7245

EXHIBIT A

NOT A CERTIFIED COPY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

Case No. 1:23-_____

ANDREW TATE AND TRISTAN TATE,

Plaintiffs

vs.

EMMA GABBEY, MONA TABARA GABBEY,
WILLIAM GABBEY, ALIONA UNTILA,
AND MATTHIEU MARTELLY

Defendants.

NOTICE OF REMOVAL

Defendants EMMA GABBEY, MONA TABARA GABBEY, WILLIAM GABBEY, ALIONA UNTILA, and MATTHIEU MARTELLY, through their attorneys, hereby remove this action from the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida to the United States District Court for the Southern District of Florida, West Palm Beach Division. In support of this Notice, Defendants further state:

BACKGROUND

1. On July 11, 2023, Plaintiffs commenced a civil action in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County Florida Civil Division (“State Court”), captioned Andrew Tate and Tristan Tate v. Emma Gabbey, Mona Tabara Gabbey, William Gabbey, Aliola Untila, and Mathieu Martelly (the “Action”). The matter is assigned Case No. 50-2023-CA-011904-XXXX-MB.

2. In the Action, the Plaintiffs, Andrew and Tristan Tate, allege defamation, defamation per se, commercial defamation, false imprisonment, tortious interference of a business relationship, civil conspiracy, intentional infliction of emotional distress, and negligent infliction of emotional distress—all in connection with an investigation and ongoing prosecution of the Plaintiffs in Romania for sex trafficking and other crimes (“Romanian Investigation”). The Plaintiffs seek \$5,000,000 in damages.

3. This Action appears to be an attempt to retaliate against witnesses for cooperating with the Romanian Investigation. Defendants maintain that they sought to cooperate with the Romanian Investigation and/or preserve the safety of Emma Gabbey and Aliona Untila. Defendants deny that they have taken any action upon which liability can be premised and reserve the right to raise all defenses, immunities, and counterclaims.

PROCEDURAL BACKGROUND

4. Pursuant to 28 U.S.C. § 1446, true and accurate copies of “all process, pleadings, and orders” in the Action are attached as Exhibit A.

5. Defendants have not pled, answered, or otherwise appeared in the Action, except to file a motion for enlargement of time to respond to the pending pleading.¹

6. Defendants Mona and William Gabbey and were served with the Complaint and Amended Complaint on July 17, 2023. As of the time of the filing of this Notice, Defendants Emma Gabbey, Aliona Untila, and Matthieu Martelly have not been served.

7. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b), having been filed within 30 days after service of the Complaint.

¹ At the time of the filing of this Notice of Removal, said motion is not appearing on the publicly available docket, and therefore will not be reflected in Exhibit A.

8. Defendants will promptly serve a copy of this Notice on counsel for the Plaintiffs and will file a copy of this Notice, along with a Notice to Plaintiff of Filing of Removal of Civil Action to Federal Court, with the Clerk of State Court, pursuant to 28 U.S.C. § 1446(d). A copy of the Notice to the State Court is attached as Exhibit B.

9. Defendants shall file its disclosures pursuant to Federal Rule of Civil Procedure 7.1(a)(2) separately, once the Clerk has opened the case, but a copy of what will be filed is attached as Exhibit C.

10. Defendants have filed and served a civil coversheet, which is attached as Exhibit D.

11. This Action is properly removable to the United States District Court for the Southern District of Florida, pursuant to 28 U.S.C. § 1446(a) because the State Court, in which this Action was commenced, lies within the Southern District.

JURISDICTION

12. This Action is within the original jurisdiction of this Court under 28 U.S.C. § 1332. Section 1332(a) provides that this Court has “original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and is between . . . citizens of a State and citizens or subjects of a foreign state.” As explained below, this Action meets these requirements and therefore may be removed to this Court pursuant to 28 U.S.C. § 1441.

13. All Defendants consent to removal.

14. As set forth below, this Action satisfies the requirements of 28 U.S.C. §§ 1332 and 1441 and, therefore, may be removed to this Court.

15. There is complete diversity of citizenship. As alleged in their Amended Complaint, the Plaintiffs Andrew and Tristan Tate reside in Romania.

16. Defendant Emma Gabbey resides in the United States. The Amended Complaint incorrectly alleges that she is a resident of Palm Beach County, Florida. Ms. Gabbey is not a resident of Florida.

17. Defendants Mona and William Gabbey are residents of Palm Beach County, Florida. Defendants assert that Mr. and Mrs. Gabbey have not been properly joined in this action and that the claims against them are meritless.

18. Defendant Aliona Untila does not reside in the United States or Romania.

19. Defendant Matthieu Martelly is a resident of Palm Beach County, Florida. Defendants assert that Mr. Martelly has not been properly joined in this action and that the claims against him are meritless.

20. The amount in controversy here exceeds the \$75,000.00 threshold. The complaint states that Plaintiffs are seeking \$5,000,000.00 in damages from the Defendants.

21. For the foregoing reasons, the Court has subject matter jurisdiction over this Action, and Defendants hereby remove this Action pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

Dated: August 14, 2023.

Respectfully submitted,

NATIONAL CENTER ON SEXUAL EXPLOITATION

/s/ Danielle Bianculli Pinter

Danielle Bianculli Pinter [FBN 120441]

Benjamin W. Bull*

Peter A. Gentala*

Christen M. Price*

Victoria Hirsch*

1201 F. St., NW, Suite 200

Washington, DC 20004

/s/ Christian W. Waugh

Christian W. Waugh [FBN 71093]

Mary A. Norberg [FBN 1032028]

Sofie Bayer [FBN 1039616]

WAUGH PLLC

201 E. Pine Street, Suite 315

Orlando, FL 32801

dpinter@ncoselaw.org
bbull@ncose.com
pgentala@ncoselaw.org
cprice@ncoselaw.org
vhirsch@ncoselaw.org

Counsel for Defendants

cwaugh@waugh.legal
mnorberg@waugh.legal
sbayer@waugh.legal
Telephone: 321-800-6008
Fax: 844-206-0245

Co-Counsel for Defendants

* Application for admission pro hac vice
pending

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by email
on August 14, 2023 on counsel for Plaintiffs in the state court action:

Thomas Maniotis
Equity Legal, PLLC
5201 Blue Lagoon Dr., Flr. 8
Miami, FL 33126
321-313-8642
tamaniots@equitylegal.net

Joseph D. McBride
The McBride Law Firm, PLLC
99 Park Avenue, 6th Flr.
New York, NY 10016
917-757-9537
Jmcbridelawnyc.com

/s/ Christian W. Waugh
Christian W. Waugh